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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

Defendants.

CASE NO. 11-cv-01846-LHK-PSG

**[PROPOSED] ORDERS GRANTING IN
PART AND DENYING IN PART APPLE'S
MOTIONS IN LIMINE**

Date: July 18, 2012

Time: 2:00 pm

Place: Courtroom 8, 4th Floor

Judge: Hon. Lucy H. Koh

Apple Inc. ("Apple") has filed Motions *in Limine*, which came for hearing on July 18, 2012.

The Court, having read and considered the papers filed in support and in opposition to the motions, issues the following orders granting in part and denying in part Apple's Motions *in Limine*:

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Apple's Motion In Limine No. 1

The Court DENIES Apple's Motion *in Limine* No. 1 to Exclude Evidence and Argument re: the 035 Model and Pictures of it.

IT IS SO ORDERED.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 2

The Court DENIES Apple's Motion *in Limine* No. 2 to Exclude Evidence and Argument re: Non-Prior Art Apple or Samsung Design Patents.

IT IS SO ORDERED.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 3

The Court DENIES Apple's Motion *in Limine* No. 3 to Exclude Evidence and Argument re: Claimed Prior Art Devices and Documents.

IT IS SO ORDERED.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 4

The Court DENIES Apple's Motion *in Limine* No. 4 to Exclude Evidence and Argument
re: Partial Views of Design.

IT IS SO ORDERED.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 5

The Court GRANTS IN PART Apple's Motion *In Limine* No. 5 To Exclude Evidence and Argument re: Samsung's Receipt of Legal Advice Regarding the Patents at Issue in this Case. Samsung, its counsel and witnesses shall be precluded from presenting evidence, engaging in argument or making reference before the jury of advice received from counsel as a basis for non-infringement. Neither party is precluded from eliciting testimony about pre-suit discussions between Samsung and Apple regarding the patents in suit.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that this order shall be in effect from the commencement of voir dire to the rendering of a verdict, and shall be in effect at all times when any juror or jurors are in the courtroom.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 6

The Court GRANTS Apple's Motion *In Limine* No. 6 To Exclude Evidence and Argument re: Rulings on the Validity, Enforceability, or Infringement of any Apple or Samsung Patent by Other Courts or Tribunals. The parties, their counsel and witnesses shall be precluded from presenting evidence, engaging in argument or making reference before the jury of the rulings made by other courts or tribunals about the validity, enforceability, or infringement of any patent in suit.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that this order shall be in effect from the commencement of voir dire to the rendering of a verdict, and shall be in effect at all times when any juror or jurors are in the courtroom.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 7

The Court DENIES Apple's Motion *in Limine* No. 7 to Exclude Evidence and Argument re: Statements Made by Steve Jobs to Walter Isaacson.

IT IS SO ORDERED.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 8

The Court DENIES Apple's Motion *in Limine* No. 8 to Exclude Evidence and Argument re: Parties' Corporate Behavior or Financial Circumstances.

IT IS SO ORDERED.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 9

The Court DENIES Apple's Motion *in Limine* No. 9 to Exclude Evidence and Argument re: Samsung's Profits Calculated Based on a Tax Agreement with the United States Internal Revenue Service.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge

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Apple's Motion In Limine No. 10

The Court GRANTS Apple's Motion *In Limine* No. 10 To Exclude Evidence and Argument re: Financial Terms for Apple's Acquisition of Fingerworks. Samsung, its counsel, and witnesses shall be precluded from presenting evidence, engaging in argument or making reference before the jury of the financial terms of Apple's acquisition. The parties are not precluded from introducing evidence concerning Fingerworks generally.

IT IS SO ORDERED.

IT IS FURTHER ORDERED that this order shall be in effect from the commencement of voir dire to the rendering of a verdict, and shall be in effect at all times when any juror or jurors are in the courtroom.

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Judge